

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MARLON HURDLE,</b>	:	
	:	
<b>Petitioner,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	<b>NO. 19-3670</b>
	:	
<b>SUPERINTENDENT DELBALSO, et al.,</b>	:	
	:	
<b>Respondents.</b>	:	

**ORDER**

**AND NOW**, this 10th day of September, 2021, upon careful and independent consideration of the Petition for a Writ of Habeas Corpus (ECF No. 2), the Lancaster County's District Attorney's Response (ECF No. 12), Petitioner's Reply (ECF No. 16), and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey (ECF No. 17), and Petitioner's Objections to the Report and Recommendation (ECF No. 19), **IT IS HEREBY ORDERED AND DECREED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DENIED** with prejudice;
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes.

**BY THE COURT:**

/s/ **Petrese B. Tucker**

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**Hon. Petrese B. Tucker, U.S.D.J.**